

The 6th July, 1979

No. 11(112)-3Lab-79/7381.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s Indomalt Processors Pvt. Ltd., Murthal (Sonepat).

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 15 of 1977.

SH. AMARJIT SINGH WORKMAN AND THE MANAGEMENT OF M/S INDOMALT
PROCESSORS PRIVATE LTD., MURTHAL (SONEPAT).

Present :

Sh. D.P. Pathak, for the workman.

Sh. C.R. Gulati, for the management.

AWARD

By order No. ID/EK/411-A/76/21928, dated 4th June, 1977 the Governor of Haryana referred the following dispute between the management of M/s Indomalt Processors Private Ltd., Murthal (Sonepat) and its workman Sh. Amarjit Singh to this Court for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of the section 10 of the Industrial Disputes Act, 1947.

"Whether the termination of services of Sh. Amarjit Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, the notices were issued to the parties and on the pleadings of the parties the following issues were framed by my Learned Predecessor on 6th December, 1977 :

1. Whether the reference is bad in law for the reasons mentioned in the Preliminary objection of the Written statement ?
2. Whether the workman ever waived his claim of reinstatement and the demand raised by him on the management concerned has been duly satisfied ?
3. In case of non proof of issue number 1 and 2 as per reference ?

And fixed the case for the evidence of the management. The management in their evidence produced Sh. Prhlad Singh, Clerk of the Office of the Labour Officer-cum-Conciliation Officer, Sonepat as MW-1 and Sh. Ashok Chawla, Managing Director of the management as MW 2 and exhibited M-1 voucher for Rs. 174-20 executed on 19th May, 1976 in full and final settlement of his claim and Exhibit M-2 where by the State Government had earlier rejected his demand for reference of his claim on 10th May, 1979 when the case was taken up for evidence of the workman after a number of opportunities were granted to him for producing his evidence, the authorised representative of the workman Sh. D.P. Pathak made the following statement on 10th May, 1979 that :

"The workman is not traceable in spite of aforesaid efforts.

Country and the workman is not pursuing his case. If any dues are outstanding the same may be got paid to the workman otherwise he is not interested in reinstatement."

I have gone through the evidence of the management. The workman started absenting from his duties from 13th May, 1976 voluntarily and got alternative better job in Cold-storage, near Najafgarh road, Delhi and cleared his dues by executing receipt exhibit M-1.

In view of the matter I decide the case in favour of the management in respect of all the issues and hold that there was no termination of the services of the workman on the part of the management but the workman voluntarily absented from his duties and having cleared his dues with the management he is not entitled to any further relief.

Dated 21st June, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana.
Rohtak.

Endst. No. 1513, dated 26th June, 1979.

Forwarded (four copies) to the Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the I.D. Act, 1947.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 7th July, 1979.

No. 11(112)-3Lab-79/7356.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workman and the management of M/s Belmont Rubber Industries, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 390 of 1978

Between

SHRI KEDAR NATH WORKMAN AND THE MANAGEMENT OF M/S BELMONT RUBBER INDUSTRIES, FARIDABAD

Present :—

Workman in person.

Shri R.C. Sharma, for the management.

AWARD

By order No. ID/FD/11-138-78/39948, dated 30th August, 1978 the Governor of Haryana referred the following disputes between the management of M/s Belmont Rubber Industries Faridabad and its workman Shri Kedar Nath, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Kedar Nath was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties following issues were framed on 15th December, 1978 :—

1. Whether the workman has refused to join his duties ?

2. Whether the termination of services of the workman was justified and in order ? If not, to what relief is he entitled ?

And the case was fixed for the evidence of the management. It was at this stage that a settlement was arrived at, according to which the workman received a sum of Rs. 1,800 from the management in full and final settlement and gave up his right of reinstatement or re-employment, if any. The management agreed to pay the said sum to the workman within 15 days hereof, to which the workman agreed. I, therefore, give my award in terms of the settlement that the management shall pay to the workman a sum of Rs. 1,800 only within 15 days, whereupon by which the claims and the disputes of the workman shall be deemed to have been satisfied. The workman shall not be entitled to any other relief.

Dated 19th June, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 541, dated 22nd June, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 11(112)-3Lab-79/7587.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Mechanical Movements Pvt., Ltd., Bahadurgarh.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 38 of 1979.

between

SHRI RAM CHHABILA, WORKMAN AND THE MANAGEMENT OF M/S. MECHANICAL MOVEMENT PVT. LTD., BAHDURGARH, DISTRICT ROHTAK

Present :—Shri Bhela Singh, for the workman.

Shri M.M. Kaushal, for the management.

AWARD

By order No. ID/RTK/13-79/6458, dated 16th February, 1979, the Governor of Haryana referred the following dispute between the management of M/s. Mechanical Movements, Pvt. Ltd. Bahadurgarh District Rohtak, and its workman Shri Ram Chhabila to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of the service of Shri Ram Chhabila was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, the notices were issued to the parties. The parties settled their claim and filed a copy of settlement, dated 25th April, 1979 as Ex-W-1. Shri Rajinder Singh representative of the workman made a statement that:

“Settlement Ex-W-1 has been arrived at between the parties. The workman has received his compensation of Rs. 275/- He now does not want to pursue this reference. The case may be decided as per settlement”.

"The terms of the settlement are that Shri Ram Chhabila, workman does not want to join services with the management as he was gainfully employed after 22nd May, 1978 and the management stated that the workman has lost his employment by way of abadonment as per certified standing orders and the parties agreed that worker will be satisfied on receipt of the payment in full and final settlement of his accounts and the management has paid a sum of Rs. 275/- as an Ex-gratia payment."

In view of the above statement and settlement of the parties I answer the award that the termination of the service of the workman was justified and in order and the workman having received Ex-gratia payment of Rs. 275/- in full and final settlement of his claim and he is not entitled to any further relief.

Dated 23rd June, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst. No. 1602, dated 2nd July, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments Chandigarh, as required under section 15 of the Industrial Disputes, Act.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-79/7588.—In pursuance of the provision of section 17 of the Industrial Dispute Act 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Bhinko Fibre (Pvt.) Ltd., Modern Industrial Estate, Bahadurgarh, District Rohtak.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 13 of 1977

between

SHRI RAMA SHANKAR PANDEY, WORKMAN AND THE MANAGEMENT OF M/S. BHINKO FIBRE
(PVT.) LTD., MODERN INDUSTRIAL ESTATE, BAHADURGARH, DISTRICT
ROHTAK

Present:—Shri Rajinder Singh, for the workman.

No one, for the management.

AWARD

By order No. ID/RK/330-F-77/21211, dated 31st May, 1977 the Governor of Haryana referred the following dispute between the management of M/s. Bhinko Fibre (P) Ltd., Bahadurgarh, District Rohtak and its workman Shri Rama Shankar Pandey to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

"Whether the termination of the service of Shri Rama Shankar Pandey was justified and in order ?
If not, to what relief is he entitled ?"

On receipt of order of reference, notices were issued to the parties, but on the notice sent to the management report was received "Left without address, returned to Addressee."

Notice were issued to the management on 18th June, 1977, 17th July, 1977, 17th August, 1977 and numerous other dates. Ultimately by Predecessor order, dated 6th October, 1977 for substituted service. His order is reproduced as below:

Present:—Shri Sagar Ram Gupta, for the workman.

"Report of the postal authority has been received on the registered envelope sent to the management concerned for service of the notice contained therein, that Shri Nirmal Kumar Bose, Partner of the management concerned was not found at the address. Mentioned in the reference and seemingly supplied by the workman. The workman regrets his inability to supply any address and it is thus obivous that service of the management concerned cannot be effected. The workman under the circumstances prays that the service of the notices of this reference be effected on the management concerned through publication of a notification in some paper circulated in Dehli and Bahadurgarh. The request being reasonable I direct that the service of the management of the notices of reference be effected in the aforesaid manner. The workman shall in this connection deposit a sum of Rs. 60/- for publication of this notice. Case to come up on 8th December, 1977.

Dated 6th October, 1977.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

About one year and 8 months have passed and more than 12 opportunities have been granted to the workman to comply with that order but the workman have not taken any step in compliance of the order. On 20th June, 1979 Shri Rajinder Singh, representative of the workman made the following statement:

"The workman was directed to deposit the fees for publication of the notice and to supply correct address of the respondent management but he is not pursuing his case. I therefore, cannot comply with the order of the Labour Court and withdraw the demand notice. This reference may be filed."

In view of the above statement of the authorised representative of the workman I dismiss this reference and give my award that the workman is not entitled to any further relief.

Dated 21st June, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst. No. 1601, dated 2nd July, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

H. L. GUGNANI, Secy.

HOME (JAILS) DEPARTMENT

The 13th July, 1979

No. 35/1/79-JJ(2).—The Governor of Haryana is pleased to dissolve with immediate effect the Departmental Consultative Committee for the Jails Department constituted,—*vide* Haryana Government Notification No. 35/1/79-JJ (2), dated the 18th May, 1979.

L. D. KATARIA, Secy.

HARYANA STATE LOTTERIES

The 7th July, 1979

No. DOL/HR//79/16570.—The Governor of Haryana is pleased to select the following persons for the supervision of the 4th Final Janta Lottery Draw held on 7th July, 1979 at Chandigarh.

1. Mrs. B. P. Sehgal
House No. 303,
Sector - 16,
Chandigarh.
2. Mrs. Jagat Ram
House No. 117,
Sector - 23,
Chandigarh.
3. Mrs. Harjit Kaur Rana
Kothi No. 194,
Sector 16-A,
Chandigarh.
4. Sh. M. R. Bansal
Executive Engineer,
Haryana State Electricity Board,
Chandigarh.
5. Sh. W. C. Ahuja,
Accounts Officer,
Office of A. G. Haryana,
Chandigarh.

N. K. GARG, IAS,
Director of Lotteries & Joint
Secretary to Government, Haryana,
Finance Department, Chandigarh.